

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES H. FISCHER,

Plaintiff,

v.

STEPHEN T. FORREST, Jr., SANDRA F.
FORREST, SHANE R. GEBAUER, and
BRUSHY MOUNTAIN BEE FARM, INC.

Defendants.

CIVIL ACTION NO.: 14-CV-1304
14-CV-1307

**NOTICE OF DEFENDANTS STEPHEN T. FORREST, JR., SANDRA F. FORREST,
SHANE R. GEBAUER, AND BRUSHY MOUNTAIN BEE FARM INC.'S MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that upon the annexed declarations of Shane Gebauer dated April 14, 2017, Stephen T. Forrest, Jr. dated April 17, 2017, Sandra F. Forrest dated April 17, 2017, Amanda Twete dated March 29, 2017, Affidavit of Seth Hudson dated April 17, 2017 and upon the exhibits annexed thereto, and upon all pleadings and proceedings heretofore had herein, Defendants pursuant to Federal Rule of Civil Procedure 56, will move this Court before the Honorable Paul A. Engelmayer in the United States Courthouse, 500 Pearl Street, New York, New York, 10038 at a date and time to be determined by the Court for an order granting summary judgment dismissing in its entirety Plaintiff's Complaint, and for such other and further relief as the Court may deem just and proper, including attorneys' fees and costs.

PLEASE TAKE FURTHER NOTICE that, pursuant to the order of the Court, opposing papers, if any, are due to be served upon the undersigned on or before May 1, 2017 and reply papers, if any, are to be served upon Plaintiff's counsel on or before May 8, 2017.

Dated: April 19, 2017

CLEMENTS BERNARD, PLLC
Attorneys for Defendant

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– and –

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